

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 13-11190

SIGNAZON CORPORATION

v.

CRAIG NICKELSON d/b/a ebuysigns.com

ORDER ON PLAINTIFF'S MOTION FOR
EX PARTE TEMPORARY RESTRAINING ORDER
AND SHORT ORDER OF NOTICE ON
MOTION FOR EXPEDITED DISCOVERY

May 15, 2013

STEARNS, D.J.

Plaintiff Signazon Corporation seeks a temporary restraining order against the defendant Craig Nickelson d/b/a ebuysigns.com and www.signazon.co (Nickelson) requiring Nickelson to maintain the status quo and preserving key evidence that Signazon believes is central to its lawsuit. Having made an adequate showing in its filings, the motion is ALLOWED. Nickelson is ordered to preserve and protect the integrity of all material on his computer hard drives, portable drives and related magnetic storage equipment, so that Signazon may engage in meaningful discovery of the information found in those drives. Consequently the restraining Order issues as follows:

Nickelson, as well as its/his affiliates, employees, officers, directors, and

representatives (collectively “Defendant”), are enjoined from destroying, deleting, altering or modifying, any document, electronic data or other material that may contain information pertaining to Signazon or any of the designs included in Exhibit A to this Verified Complaint. The Defendant is ordered to preserve any and all of the correspondence, including internal and external email, concerning Signazon, the designs included in Exhibit A to the Verified Complaint. The Defendant is to preserve not only hard copy documents, but also electronic data and information, no matter where such material may be stored or the forms and formats in which it is stored. This obligation includes, but is not limited to, e-mail, software, firmware, databases, and all other data stored electronically, digitally, or magnetically. This obligation also requires the preservation of all pertinent and discoverable electronic data no matter where it is stored, including on hard drives, servers, static drives, CDROMs, DVDs, cell phones, personal data assistants, back-up tapes, optical tapes, and any other electronic storage device. This obligation extends to laptops and other devices that may have been issued to the Defendant’s employees, officers, directors, representatives or consultants. The Defendant is enjoined from engaging in any routine business practices that have the potential to alter or destroy digital evidence without creating a backup of the data contained on the affected drive. Such business practices may include server backup tape rotation; electronic data shredding; scheduled destruction of backup media;

re-imaging of drives; drive hardware exchanges; sale, gift, or destruction of computer systems; and disk defragmentation or other disk maintenance routines.

Signazon has also moved for a short Order of Notice on its Motion for Expedited Discovery. That motion is also ALLOWED, returnable on Wednesday, May 22, 2013, at 4:00 in Courtroom 21 in the John J. Moakley Courthouse, Boston, Massachusetts. At that time, the court will hear also hear defendants' argument, if any, for a lifting of the temporary restraining Order.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE